

DOUGLAS SHIRE COUNCIL

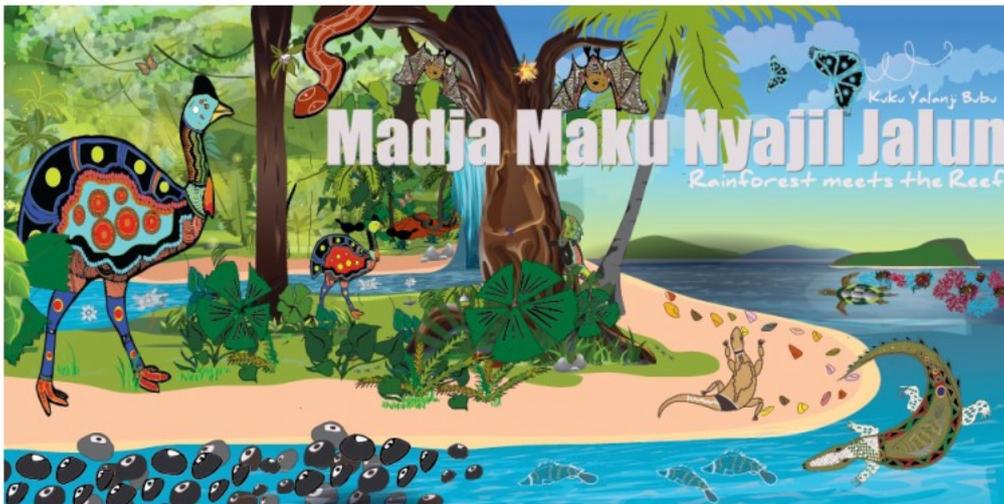
ORDINARY COUNCIL MEETING

MINUTES

Tuesday, 26 May 2020

ENSURING EXCELLENCE IN GOVERNANCE
ACCOUNTABLE AND TRANSPARENT DECISION-MAKING
ENGAGING, PLANNING, PARTNERING
CELEBRATING OUR COMMUNITIES

DOUGLAS
SHIRE COUNCIL



Douglas Shire Council would like to show its appreciation by acknowledging local indigenous artists Lenice Schonenberger, Loretta Pierce (Lenoy) and Ronald Bamboo for providing the cover artwork entitled "**Daintree Ferry**"

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 MAY 2020 COMMENCING AT 10.00AM**

Mayor Cr Kerr opened the Meeting by giving Notice that in accordance with Section 277E of the *Local Government Regulation 2012*, that this Ordinary Meeting of Council will be closed to the public because of health and safety reasons associated with the public health emergency involving Covid-19.

Mayor Cr Kerr advised that the meeting is being recorded and that the recordings will be posted onto Council's website along with the minutes. Cr Kerr also advised that the meeting is being live-streamed.

ACKNOWLEDGEMENT OF COUNTRY

Cr Kerr acknowledged the Kuku Yalanji people who are the Traditional Custodians of the Land on which this meeting is being held and paid respect to their Elders both past and present, and extended that respect to other Indigenous Australians present.

1. ATTENDANCE

PRESENT

Cr Michael Kerr (Mayor), Cr Lisa Scomazzon (Deputy Mayor), Cr Peter McKeown, Cr Abigail Noli and Cr Roy Zammataro

OFFICERS IN ATTENDANCE

Mark Stoermer (Chief Executive Officer), Michael Kriedemann (Executive Manager Infrastructure), Terry Farrelly (Manager People and Community Services), Tara Killeen (Chief Financial Officer), Juanita Holden (Manager Governance), Paul Hoyer (Manager Environment and Planning), Peter Tonkes (Manager Water and Wastewater), Tom Volling (Senior Media and Communications Officer), Daniel Lamond (Planning Officer), Robert Donovan (Team Leader Property Services), Louise Dias (Property Officer), Daniel Favier (Project Manager Open Spaces), Pieter Kleinhans (Coordinator Civil Operations), Neil Beck (Team Leader Planning), Tim Ellis (Arts and Culture Officer), Sean O'Conner (Senior Procurement Officer), Mark Halstead (Building Facilities Officer) and Brenda Jang (Executive Assistant).

APOLOGIES

Nil

2. CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST

Cr Kerr declared that he has a Conflict of Interest in Closed Item 9.1 (Prejudicial Matter S275 1 H *Local Government Regulation 2012* - **RADF 2019-20 Committee Nominations For Funding**) as defined by section 175D of the *Local Government Act 2009*, due to one of the applications in 9.1 is to complete an artwork mural on the building of 12 Grant Street port Douglas. Whilst I am not involved in the mural or mural process I am the director of a company that operates two similar businesses in that group of shops and it could be perceived that this piece of work could benefit those businesses.

The Hair Shop	Art on Grant Street	Create a wall mural	Public art
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Cr Kerr will be dealing with this declared conflict of interest by leaving the meeting whilst this matter is being discussed and voted on.

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3. MAYORAL MINUTE

3.1. TOURISM AND ECONOMIC DEVELOPMENT OFFICER

Moved: Cr Kerr

“That Council notes the implementation of the Tourism and Economic Development Officer position within Council’s structure and express support for the process undertaken by the Chief Executive Officer in the recruitment of a Tourism and Economic Development Officer.”

BACKGROUND

The economy of the Douglas Shire faced strong headwinds before Covid-19. As part of the 2018/19 Operational Plan, Council conducted a review of the current economic strategy through the Economic Strategic Review Committee (ESRC). The ESRC was chaired by the former Mayor and included stakeholders from across the business community. Tourism Port Douglas Daintree (TPDD), the Chamber of Commerce and Jabalbina were key members.

As part of the ESRC, the committee identified over 30 initiatives for the Shire to support a prosperous economy and advocate for the Shire to invest in new opportunities that help diversify the economy other than tourism and sugar cane. ESRC strongly advocated the importance of an economic development officer that would support new investment to the Shire, drive and advocate for additional funding for economic projects, infrastructure and tourism.

At the conclusion of the ESRC, Covid-19 arrived in Australia. It has severely damaged an already perilous economy and the impact may last for years. Economics ID estimates that the Gross Regional Product may decline by -25.3% and local jobs loss falling by -12.7% in the June 2020 quarter.

The Tourism and Economic Development Officer (TEDO) will play an integral role in shaping the local sector to better respond to tourism trends, working closely with Regional and Local Tourism Organisations to support them in targeted destination management and branding, leading strategic Council initiatives that will enhance job opportunities in the sector and supporting local businesses that depend either directly or indirectly on tourism.

The Chief Executive Officer (CEO) has commenced the process of recruiting for a TEDO which has seen a high calibre of applicants. It is envisioned the position will work within the Community and Economic Development Section and work closely with other departments to find innovative ways to support the economy.

The ESRC and CEO has deemed this an essential position that will advance the Shire and support small businesses and the community through the COVID-19 recovery efforts. Some have questioned whether the CEO has acted appropriately in recruiting for this role. The Mayor’s view is that the CEO is not only within his rights to recruit for this critical position and other positions that are deemed essential, but the move is essential and urgent. This motion seeks to support this initiative.

For: Cr Kerr, Cr McKeown, Cr Scomazzon

Against: Cr Noli, Cr Zammataro

Carried

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4. CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

4.1 CONFIRMATION OF STATUTORY MEETING HELD ON THURSDAY, 16 APRIL 2020

Moved Cr Zammataro

Seconded Cr Scomazzon

“That the Minutes of the Statutory Meeting held on Thursday, 16 April 2020 be confirmed.”

Carried Unanimously

4.2 CONFIRMATION OF ORDINARY MEETING HELD ON TUESDAY, 28 APRIL 2020

Moved Cr Scomazzon

Seconded Cr Kerr

“That the Minutes of the Ordinary Meeting held on Tuesday, 28 April 2020 be confirmed.”

Carried Unanimously

5. AGENDA ITEMS

5.1. DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - MEDIUM IMPACT INDUSTRY (WATER BOTTLING FACILITY)

Daniel Lamond, Planning Officer

Moved Cr Scomazzon

Seconded Cr McKeown

(Cr Noli stated that, although she had the same surname as the applicant, she does not have a conflict of interest in this matter.)

That Council approves the development application for material change of use for medium impact industry (water bottling facility) over land described as LOT: 10 SP: 304851, subject to the following:

Approved Drawing(s) and/or Document(s)

The term ‘approved drawing(s) and/or document(s) or other similar expressions means:

<i>Drawing or Document</i>	<i>Reference</i>	<i>Date</i>
<i>Access Road and Building Pad concept Arrangement</i>	<i>Plan Prepared by Civil Walker Consulting Engineers, Drawing No. 106-002-C01</i>	<i>28 November 2019</i>
<i>Part Site Plan</i>	<i>Plan prepared by Greg Skyring Design and Drafting Pty Ltd, Plan No. 101-19</i>	<i>3 September 2019</i>
<i>Floor Plan</i>	<i>Plan prepared by Greg Skyring Design and Drafting Pty Ltd, Plan No. 101-19</i>	<i>3 September 2019</i>
<i>Elevations</i>	<i>Plan prepared by Greg Skyring Design and Drafting Pty Ltd, Plan No. 101-19</i>	<i>3 September 2019</i>
<i>FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access</i>		
<i>Rural Allotment Access</i>	<i>Standard Drawing S1105 Issue E</i>	<i>26 November 2014</i>

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ASSESSMENT MANAGER CONDITIONS & ADVICES

1. *Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:*

(a) The specifications, facts and circumstances as set out in the application submitted to Council; and

(b) The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval

Timing of Effect

2. *The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.*

Building Colours

3. *The exterior finishes and colours of the facility must be non-reflective and must blend with the natural colours of the surrounding environment. Colours must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.*

Landscaping Plan

4. *The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must detail the following:*

(a) A ten (10) metre wide planting buffer separating the bottling facility and the common boundary to Lot 180 on C157273 having regard to Planning Scheme Policy SC6.7-Landscaping;

(b) Planting of setback areas immediately in front of the facility on the hillslope separating the facility and Upper Daintree Road;

(c) A species list detailing all proposed vegetation types to be used.

One A3 copy of the landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Acoustic Report / Attenuation Measures

5. *The development application material advised that the proposed use can utilise acoustic, noise attenuated building design measures to mitigate noise produced by plant. A noise impact assessment report prepared by a suitably qualified and experienced acoustic engineer must be prepared to demonstrate the affect of reasonable and practicable measures proposed to be implemented to minimise the impact of noise on the existing acoustic environment of the surrounding dwelling houses and demonstrate compliance with condition 6 below. The acoustic report must;*

(a) investigate potential noise impacts on sensitive land uses external to the site, namely the dwelling houses neighbouring the site;

(b) establish the noise profile of the locality;

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- (c) detail the generation of noise associated with all noise emitting plant to be used;*
- (d) detail proposed attenuation treatments to the building with building plans;*
- (e) any other matters considered relevant by the acoustic engineer to ensure the proposed development does not unduly impact on neighbouring or surrounding properties.*

The acoustic report must be submitted and endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Acoustic Report / Noise Emissions

- 6. Average maximum noise level (L_{max,T}) of plant must not exceed at an affected building:*
 - Day (7am to 6pm): Background noise level L_{90,T} + 5 dBA (with the exemption of reverse signals from machinery and plant).*
 - Night (6pm to 7am): No audible noise.*

Attenuation Measures for Machinery and Service Truck

- 7. Machinery and trucks used at the facility which are required to be fitted with reversing signal equipment must be fitted with a directional broadband noise emitter or another non-auditory alarm signal rather than a tonal reversing beeper, to the satisfaction of the Chief Executive Officer.*

Hours of Operation

- 8. Hours of operation are limited to between 7am and 6pm daily.*

Rate of Production

- 9. No more than 200 tonnes per annum of beverage can be produced at the facility.*

Vehicle Parking and Access

- 10. A minimum of three (3) car parking spaces must be provided at the facility. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and Australian Standard AS2890.6. In addition, all parking and vehicular maneuvering areas must be imperviously sealed, drained and line marked. The parking area must be provided prior to the issue of a Certificate of Classification or commencement of use, whichever occurs first. The access driveway can be constructed with a finished treatment of gravel but must not cause a dust nuisance to surrounding properties.*

Erosion and Sediment Control

- 11. All earthworks must be carried out in accordance with section CP1.13 and D5 of the FNQROC Development Manual and must comply with the following:*
 - (a) Measures nominated in the ESCP must be implemented prior to commencement of any earthworks.*
 - (b) The ESC Plan must address the Institution of Engineers' Australia Guidelines for Soil Erosion and Sediment Control and the Environment Protection (Water) Policy and Clauses CP1.06, CP1.13 and D5.10 of Council's FNQROC Development Manual.*

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Emissions

12. *Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.*

Refuse Storage

13. *Refuse storage is required to service the site in accordance with Council requirements.*

Operational Works

14. *The construction of the facility triggers the requirement for a Development Permit for Operational Works given the earthwork required to establish a pad for the facility. Obtain a development permit for Operational Works for earthworks prior to the issue of a Development Permit for Building Work.*

Raw Water Purchase Agreement

15. *Enter into a commercial agreement with Council for the purchase of up to 10,000 litres per day of raw water from the Daintree water intake. The agreement must bind the applicant to pay a rate for raw water to be used as part of the operation of the water bottling facility.*

Access Crossover

16. *Provide an access crossover in accordance with standard drawing S1105D from the FNQROC Development Manual.*

Heavy Vehicle Movements

17. *No more than one body truck or heavy vehicle movement to and from the facility is permitted per day.*

Reasons for Decision

The reasons for this decision are:

Sections 60, 62 and 63 of the Planning Act 2016:

to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and

to ensure compliance with the Planning Act 2016.

Findings on material questions of fact:

- a) *the development application was properly lodged to the Douglas Shire Council 30 September 2019 under section 51 of the Planning Act 2016 and Part 1 of the Development Assessment Rules;*
- b) *the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.*

Evidence or other material on which findings were based:

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- a) *the development triggered assessable development under the Assessment Table associated with the Rural zone;*
- b) *Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the Planning Act 2016; and*
- c) *the applicant's reasons have been considered and the following findings are made:*

Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

Carried Unanimously

5.2. EXPIRING TRUSTEE PERMIT FOR PROVISION OF MARINE RESCUE SERVICES LOT 51 ON SP288958 WHARF ST PORT DOUGLAS
Louise Dias, Property Officer

Moved Cr Zammataro

Seconded Cr Noli

That Council:

1. *offers a Trustee Permit to the Public Safety Business Agency (PSBA) on behalf of Queensland Fire and Emergency Services (QFES) over Lot 51 on SP288958, Wharf Street Port Douglas, for the purpose of providing marine rescue services covering an area from Ellis Beach to the Hope Islands and for the storage of flares and associated flammable materials:*
 - i. *for a term of 12 months commencing from 1 May 2020 and expiring 29 April 2021, or until such time as the dispute between the former Flotilla QF10 volunteers and its parent body the Australian Volunteer Coast Guard Association (AVCGA) is resolved and a trustee lease is formally in place, whichever is the sooner;*
 - ii. *utilising the terms and conditions of the Standard Terms Document registered under dealing number 713488911 and also the State's Mandatory Standard Terms Document registered under dealing number 711932933; and*
 - iii. *rent for the term of the Trustee Permit to be waived; and*
2. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to determine and finalise any and all matters associated with the execution of the Trustee Permit.*

Carried Unanimously

5.3. CONSIDERATION OF PLAYGROUND PROPOSED AT 49 MILMAN DRIVE, CRAIGLIE
Daniel Favier, Project Manager Open Spaces

Moved Cr Scomazzon

Seconded Cr Kerr

"That Council resolves to:

1. *proceed with the installation of the playground at 49 Milman Drive, Craiglie and work with the concerned residents to ensure any impacts on amenity are minimised; and*

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2. *notify the head petitioners of the Council resolution.”*

Moved Cr Kerr

Seconded Cr McKeown

“That the motion be amended to include the following wording:-

Council staff prepare a report for Councillors 6 months after the installation of the playground which is to be brought back to a council meeting to advise if the concerns of the opposition petitioners has come to fruition, and if creating adverse detriment to the surrounding neighbours recommendations of how and where to relocate the playground to;”

Carried unanimously

The amended motion became the substantive motion reading as follows and was put to the vote:-

“That Council resolves:

- 1. to proceed with the installation of the playground at 49 Milman Drive, Craiglie and work with the concerned residents to ensure any impacts on amenity are minimised;*
- 2. for Council staff to prepare a report for Councillors six months after the installation of the playground which is to be brought back to a council meeting to advise if the concerns of the opposition petitioners has come to fruition, and if creating adverse detriment to the surrounding neighbours recommendations of how and where to relocate the playground to; and*
- 3. to notify the head petitioners of the Council resolution.”*

Carried unanimously

- 5.4. WATER AND WASTEWATER QUARTERLY REPORT FOR PERIOD ENDING
31 MARCH 2020
Peter Tonkes, Manager Water and Wastewater

Moved Cr Scomazzon

Seconded Cr Zammataro

“That the Quarterly Report of the Water and Wastewater Department for the period ending 31 March 2020 be received and noted.”

Carried Unanimously

- 5.5. WARNER STREET FOOTPATH
Michael Kriedemann, Executive Manager Infrastructure

Moved Cr McKeown

Seconded Cr Zammataro

“That Council resolve to transfer \$26,000 from the Fleet Renewal Program, \$20,000 from the Diggers Pedestrian Bridge Project \$10,000 from Finlay Crescent Project and \$44,000 from the Opal Street Lighting Project to the Warner Street Project to complete the construction of the concrete footpath.”

Carried Unanimously

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5.6. MACROSSAN STREET - STATE ROAD DESIGNATION

Michael Kriedemann, Executive Manager Infrastructure

Moved Cr Kerr

Seconded Cr Scomazzon

“That Council resolves to:

1. *support the concept of Council ownership of Macrossan Street - Port Douglas, between Wharf and Davidson Streets; and*
2. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate and finalise the transfer of ownership of Macrossan Street with the Queensland Department of Transport & Main Roads.”*

Moved Cr Scomazzon

Seconded

“That Council defer Item 5.6 Macrossan Street - State Road Designation to a future Council Meeting.”

The motion lapsed for want of a seconder and the original motion was put to the vote.

For: Cr Kerr, Cr McKeown, Cr Noli, Cr Zammataro

Against: Cr Scomazzon

Carried

5.7. CAPITAL WORKS PROGRESS REPORT FOR THE 3RD QUARTER 2019 - 2020

Michael Kriedemann, Executive Manager Infrastructure

Moved Cr Zammataro

Seconded Cr Scomazzon

“That Council receives and notes the progress of the Capital Works Program to 31 March 2020 for the 2019/2020 financial year.”

Carried Unanimously

5.8. COVID-19 WAIVE CHARGES FOR BACKFLOW REGISTRATION AND FERRY
FOR YEAR ENDING JUNE 2020

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Noli

“That Council:

1. *resolves to endorse the proposed waiver of Backflow Registration charges for the period 1 April 2020 - 30 June 2020;*
2. *resolves to endorse the proposed waiver of Daintree Ferry charges for buses for the period 18 March 2020 – 30 June 2020;*
3. *resolves to endorse the proposed waiver of Daintree Ferry charges for all vehicles for the period 8 April – 30 June 2020;*
4. *resolves to extend Daintree Ferry Multi-Day passes to be valid until the 31 December 2020 (previously expired 30 June 2020); and*

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5. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to administer the above relief provisions."*

Carried Unanimously

5.9. VARIOUS FINANCIAL POLICIES
Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Kerr

"That Council:

1. *revoke the Rates Based Financial Assistance General Policy; and*
2. *adopt the:*
 - *Debt Recovery General Policy*
 - *Investment General Policy*
 - *Rates Rebate – Not for Profit Entities Policy*

Carried Unanimously

5.10 PROCUREMENT POLICY 2020-21
Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Zammataro

"That Council adopts the amended Procurement General Policy for the 2020/21 financial year."

Carried Unanimously

5.11. CORPORATE CREDIT CARD POLICY
Tara Killeen, Chief Financial Officer

Moved Cr Noli

Seconded Cr McKeown

"That Council adopt the Corporate Credit Card Policy."

Carried Unanimously

5.12. 2020-2021 REVENUE GENERAL POLICY, DEBT GENERAL POLICY
Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr McKeown

"That Council adopts the:

1. *Revenue General Policy 2020/21; and*
2. *Debt General Policy 2020/21."*

Carried Unanimously

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5.13. MONTHLY FINANCIAL REPORT APRIL 2020

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Zammataro

“That Council notes the Financial Report for the period ended 30 April 2020.”

Carried Unanimously

5.14. OPERATIONAL PLAN PROGRESS REPORT FOR PERIOD JANUARY TO MARCH 2020

Mark Stoermer, Chief Executive Officer

Moved Cr Kerr

Seconded Cr Scomazzon

“That Council notes the progress of the implementation of the Operational Plan 2019 – 2020.”

Carried Unanimously

5.15. CEO REPORT FOR PERIOD JANUARY TO MARCH 2020

Mark Stoermer, Chief Executive Officer

Moved Cr McKeown

Seconded Cr Noli

“That Council receives and notes the Organisational Report Card and the Report from the Chief Executive Officer for the period January to March 2020.”

Carried Unanimously

6. NOTICES OF MOTION

6.1. TOURISM PORT DOUGLAS DAINTREE

Moved Cr Noli

Seconded: Cr Zammataro

“That:

1. *all correspondence to/from TPDD since Monday 13th April be provided to all Councillors;*
2. *details of all meetings (including online meetings) between Council and TPDD since 13th April and meeting attendees be provided to all Councillors; and*
3. *the future contract arrangements between TPDD and Council become a public and community conversation.”*

BACKGROUND

At the time of writing this motion, 11 May, there are approximately 6 weeks until the end of a 3 year contract between Council and TPDD, by the time of the meeting there will be approximately 4 weeks.

Until now, there has been no discussion, verbal or written between Councillors as to what is occurring with the contract.

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In the past, Councillors have always had extensive and sufficient input into the conversation regarding this contract, this has currently not occurred.

TPDD has always been invaluable to Douglas and in these unprecedented times it takes on even more importance as TPDD is already paving the way to recovery post COVID-19.

Now more than ever, the conversation needs to include the public and have input from the 'real' stakeholders.

For: Cr Noli, Cr Zammataro

Against: Cr Kerr, Cr Scomazzon, Cr McKeown

Lost

6.2. TOURISM AND ECONOMIC DEVELOPMENT OFFICER

Cr Noli withdrew the motion *Tourism and Economic Development Officer*.

7. URGENT BUSINESS

Nil

8. PETITIONS

Nil

9. CLOSED SESSION

Moved Cr Zammataro

Seconded Cr Scomazzon

"That Council resolves to move into Closed Session to discuss the following matter:

- 9.1 *Prejudicial Matter S275 1 H Local Government Regulation 2012 - **RADF 2019-20 Committee Nominations For Funding***
- 9.2 *Prejudicial Matter S275 1 E Local Government Regulation 2012 - **EOI Response Slipway***
- 9.3 *Prejudicial Matter S275 1 E Local Government Regulation 2012 - **EOI Response Stage 2 Aged Care Mossman***
- 9.4 *Contractual Matter S275 1 E Local Government Regulation 2012 - **Sugar Wharf Toilet Upgrade***
- 9.5 *Contractual Matter S275 1 E Local Government Regulation 2012 - **Life Guard Services***
- 9.6 *Contractual Matter S275 1 E Local Government Regulation 2012 - **Mossman Pool***
- 9.7 *Contractual Matter S275 1 E Local Government Regulation 2012 - **Economic Recovery Community Webinar Program Funds Request***
- 9.8 *Prejudicial Matter S275 1 E Local Government Regulation 2012 - **Sole/Specialised Suppliers Register***

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9.9 *Prejudicial Matter S275 1 D Local Government Regulation 2012 - **Application for Rates Based Financial Assistance A602938***

Carried Unanimously

MEETING WITHDRAWAL

Cr Kerr declared that he has a Conflict of Interest in Closed Item 9.1 (Prejudicial Matter S275 1 H Local Government Regulation 2012 - RADF 2019-20 Committee Nominations For Funding) as defined by section 175D of the Local Government Act 2009. Cr Kerr will be dealing with this declared conflict of interest by leaving the meeting whilst this matter is being discussed and left the meeting at 11.53am.

MEETING RE-ATTENDANCE

Cr Kerr re-attended the meeting at 11.56am.

OUT OF CLOSED SESSION

Moved Cr Scomazzon

Seconded Cr Noli

“That Council resolves to move out of Closed Session.”

Carried Unanimously

Cr Kerr had declared that he had a Conflict of Interest in Closed Item 9.1 (Prejudicial Matter S275 1 H Local Government Regulation 2012 - RADF 2019-20 Committee Nominations For Funding) as defined by section 175D of the Local Government Act 2009, however, as the organisation that he is associated with is not included in the list of recommendations, Cr Kerr was allowed to remain in the meeting and vote on the matter.

9.1. PREJUDICIAL MATTER S275 1 H LOCAL GOVERNMENT REGULATION
2012 - RADF 2019-20 COMMITTEE NOMINATIONS FOR FUNDING
Tim Ellis, Arts and Culture Officer

Moved Cr Noli

Seconded Cr McKeown

“That Council:

1. *ratifies the RADF Committee funding recommendations totaling \$45,000 (exc. GST) for thirteen Regional Arts Development Fund (RADF) projects for 2019–2020 detailed in Table One of this report; and*
2. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise any minor amendments in relation to administering the Regional Arts Development Fund program for 2019–2020.*

Carried Unanimously

9.2. PREJUDICIAL MATTER S275 1 E LOCAL GOVERNMENT REGULATION
2012 - RESPONSE TO EXPRESSION OF INTEREST PORT DOUGLAS
SLIPWAY
Neil Beck, Team Leader Planning

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Moved Cr Noli

Seconded Cr Scomazzon

“That Council resolves to note the outcomes of the Expressions of Interest process for the provision of a slipway or boat handling facility and associated hard stand areas over part of Lot 2 on SP262338 whereby two non-conforming submissions were received.”

Carried Unanimously

9.3. PREJUDICIAL MATTER S275 1 E LOCAL GOVERNMENT REGULATION 2012
- RESPONSE TO EXPRESSION OF INTEREST AGED CARE
ACCOMMODATION MOSSMAN
Neil Beck, Team Leader Planning

Moved Cr Zammataro

Seconded Cr Noli

That Council resolve to:

- 1. note the outcomes of the Expressions of Interest process for the development of the balance of the land at Johnston Road for aged care accommodation over land described as Lot 1 on SP295098; and*
- 2. that Council undertakes further discussions with NCS Developments Pty Ltd with a view to further explore development opportunities of Lot 1 on SP295098 for aged care accommodation and delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to determine and finalise any and all matters associated with the outcomes of the Expression of Interest.*

Carried Unanimously

9.4. CONTRACTUAL MATTER S275 1 E LOCAL GOVERNMENT REGULATION
2012 - SUGAR WHARF TOILET UPGRADE
Mark Halstead, Building Facilities Officer

Moved Cr Scomazzon

Seconded Cr Zammataro

“The Council resolves to:

- 1. enter into Contract 2020-026B Sugar Wharf Toilet Upgrade with Lanmac Constructions Pty Ltd; and*
- 2. delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters associated with this contract.”*

Carried Unanimously

9.5. CONTRACTUAL MATTER S275 1 E LOCAL GOVERNMENT REGULATION
2012 - CONTRACT AWARD FOR LIFE GUARD SERVICES
Peter Logan

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 MAY 2020 COMMENCING AT 10.00AM**

Moved Cr Zammataro

Seconded Cr Scomazzon

“That Council:

1. *resolves in accordance with section 235 of the Local Government Regulation 2012 that the Council’s register of sole source suppliers be extended to include:*
 - *Surf Life Saving Queensland (ABN: 27 360 485 381) and*
2. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters in relation to this contractual arrangement.*

Carried Unanimously

9.6. CONTRACTUAL MATTER S275 1 E LOCAL GOVERNMENT REGULATION
2012 - MOSSMAN POOL
Terry Farrelly, Manager People and Community Services

Moved Cr Noli

Seconded Cr McKeown

“That Council:

1. *approve Council Officers to operate the Mossman Pool and Caravan Park on an ongoing basis, managed by the Community Services Section; and*
2. *delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to finalise all matters associated with this report.*

Carried Unanimously

9.7. CONTRACTUAL MATTER S275 1 E LOCAL GOVERNMENT REGULATION
2012 - ECONOMIC RECOVERY COMMUNITY WEBINAR PROGRAM FUNDS
REQUEST
Tara Killeen, Chief Financial Officer

Moved Cr Zammataro

Seconded Cr Scomazzon

“That Council commits to fund the provision of an Economic Recovery Community Webinar Program for the Douglas Shire at a cost of \$9,600 (ex-gst).”

Carried Unanimously

9.8. PREJUDICIAL MATTER S275 1 E LOCAL GOVERNMENT REGULATION
2012 - SOLE/SPECIALISED SUPPLIERS
Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr McKeown

“That Council resolves to approve the attached list of Sole suppliers and/or Specialised suppliers under S235 (a) and (b) of the Local Government Regulation 2012 for the supply of equipment and services, for a period of two years.”

Carried Unanimously

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE DOUGLAS SHIRE COUNCIL
HELD ON TUESDAY, 26 MAY 2020 COMMENCING AT 10.00AM

**9.9. PREJUDICIAL MATTER S275 1 D LOCAL GOVERNMENT REGULATION
2012 - APPLICATION FOR RATES BASED FINANCIAL ASSISTANCE
A602938**

Tara Killeen, Chief Financial Officer

Moved Cr Scomazzon

Seconded Cr Zammataro

"That Council:

1. *Approve Rates Based Financial Assistance to the Port Douglas Outriggers Club (A602938) applicable from 30 June 2018; and*
2. *Delegates authority under section 257 of the Local Government Act 2009 to the Chief Executive Officer to action the above resolutions."*

Carried Unanimously

CLOSURE OF MEETING

The meeting closed at 12.36am.

CONFIRMED THIS 30TH DAY OF JUNE 2020


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MAYOR/CHAIR